

REMARKS

In response to the Requirement for Restriction mailed September 16, 2004, Applicants hereby elect Group I, claims 1 - 7 and 9, drawn to the pipe. The Requirement for Restriction is respectfully traversed.

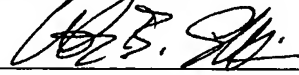
At page 2 of the Office Action, it is argued that invention I and II are related as product and process of use. While this may be true, it is submitted that the inventions of the Groups are *also* related as subcombination to combination, inasmuch as a combination of claim 8, drawn to a method of transporting fluids in the pipe of claim 1, requires all the elements of the claims of Group I, i.e., the pipe. In such a situation, where claims are related as combination/subcombination, *two-way* distinctness must be shown in order to support a requirement for restriction. Such distinctness *cannot* be shown in the present situation inasmuch as the claims of Group II *require* the elements of the claims of Group I, that is, the pipe.

While it is acknowledged that the Groups may *also* be related as product to process of use, it is submitted that they clearly fall within the rubric of combination/subcombination, as well. In such a situation, where claims can be classified in more than one manner, *all* applicable criteria for distinctness must be satisfied in order to support requirement for restriction. See M.P.E.P. §803. Accordingly, it is submitted that the claims of this application should be examined together, and withdrawal of the Requirement for Restriction is respectfully requested.

Should the Examiner have any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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